

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75222 of 2022

Arising Out of PS. Case No.-94 Year-2022 Thana- SIKRAUL District- Buxar

MUNNA LAL @ SHUSHIL KUMAR Son of Late Ramakant Lal R/V-
Chamili, P.S- Sikroul, Dist- Buxar, At present residing at village- Bhabhua,
Ward No. 11, P.s- Bhabhua, Dist- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

For the O.P. No. 2 : Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-04-2023 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the South Bihar
Power Distribution Company Limited.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 135 of the
Electricity Act.

Allegation on the petitioner is that he had
committed theft of electricity worth Rs. 1,04,115/- by bypassing
wire directly from the pole.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.



He submits that the petitioner has filed an appeal before the concerned authority but the final assessment is not done, therefore, fifty percent of payment has not been made before filing of present appeal. Petitioner has got one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sikroul P.S. Case No. 94 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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